

DEC. 5. 2003 11:32AM

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NO. 6684 P. 2

DEC 05 2003

OFFICIAL

PATENT  
Attorney Docket No. 202231

#15<sup>aw</sup>  
12-8-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Timothy C. Sowell

Art Unit: 3628

Application No. 09/418,943

Examiner: N.B. Nguyen

Filed: October 15, 1999

For: DISTRIBUTING AND BILLING  
SOFTWARE ACCORDING TO  
CUSTOMER USE OF PROGRAM  
MODULES

NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed September 8, 2003, rejecting the following claims: 1-12, 14-44, 53-55 and 74-77.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$330.00

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Notice of Appeal (along with any documents referred to as attached or enclosed) is being transmitted by facsimile to the United States Patent and Trademark Office, Attention: Examiner Nga B. Nguyen, Art Unit 3628, Facsimile Number (703) 872-9306, on the date indicated

Alberto Grageda  
(Signature of person transmitting)

Dated: 12-5-03

Alberto Grageda  
Printed Name of person transmitting

In re Appln. of Timothy C. Sowell  
Application No. 09/418,943

**3. Extension of Time**

- ☐ Applicant petitions for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.
- ☐ An extension for one-month has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$**

**4. Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$330.00
Extension Fee (if any)	\$ 0.00


**Total Fee Due: \$330.00**

**5. Fee Payment**

- ☐ Attached is a check in the sum of \$ .
- ☐ Charge Account No. 12-1216 the sum of \$ . A duplicate of this transmittal is attached.

**6. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

  
Mark Joy, Reg. No. 35,562  
LEYDIG, VOLT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
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Chicago, Illinois 60601-6780  
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Date: December 5, 2003

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NO. 6684 P. 1

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**FACSIMILE COVER SHEET**

DATE: DECEMBER 5, 2003

NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET):

3

TIME: 10:08 AM

YOUR REFERENCE: 09/418,943

OUR REFERENCE: 202231

**TO:** EXAMINER N. NGUYEN  
GROUP ART UNIT: 3628

TELEPHONE NUMBER:  
FACSIMILE NUMBER: (703) 872-9306

**FROM:** MARK JOY

DIRECT LINE: (312) 616-5673

**MESSAGE:**

A confirmation copy of the transmitted document will:

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☐ Be sent via First Class/Air Mail.  
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